

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION AT LAFAYETTE**

<b>EBERAIA D. FIELDS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Cause No. 4:06-CV-0139 AS</b>
	)	
<b>TONY ROSWARSKI, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**OPINION AND ORDER**

Plaintiff Eberaia Fields filed an amended complaint under 42 U.S.C. § 1983, alleging that Tony Roswarski, Chief Don Roush, W.J. Carpenter, J.J. Clyde, Sheriff William Anderson, Sgt. David Fisher, Cpl. King, CO Cornell, and CO Batta violated his federally protected rights during the course of his arrest, prosecution, and confinement. He seeks only damages from the defendants.

On January 12, 2007, the Court entered an Order (Docket No. 14) dismissing with prejudice defendants Tony Roswarski and Don Roush.<sup>1</sup> Because the amended complaint makes the same allegations against Tony Roswarski and Don Roush as the original complaint and fails to make additional claims based on personal involvement, those individuals cannot be re-named in this amended complaint. Accordingly, based on the Court's January 12, 2007 order, the Court **DISMISSES** defendants Tony Roswarski and

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<sup>1</sup>The Plaintiff originally incorrectly named Dennis Roush instead of Don Roush. *See* Docket No. 5.

Don Roush. The Court **DIRECTS** the marshals service to effect service of process on defendants Sgt. David Fisher, Cpl. King, CO Cornell, and CO Batta on the plaintiff's behalf, and **DIRECTS** the clerk's office to ensure that a copy of this order is served on them along with the summons and complaint.

**SO ORDERED.**

**DATED: June 26, 2007**

**S/ ALLEN SHARP**  
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**ALLEN SHARP, JUDGE**  
**UNITED STATES DISTRICT COURT**